

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1, 3, 6-9, 12, 13, 16, and 18 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-4, 7-15, and 18-20 are pending and under consideration. Claims 5, 6, 16, and 17 remain withdrawn.

In the Office Action, at page 7, first full paragraph, the Examiner indicated that claims 3, 4, 8, and 9 would be allowable if rewritten in independent form. Applicant respectfully submits that claim 3 has been rewritten in independent form, and should now be allowable. Further, Applicant respectfully submits that claim 4, which depends from independent claim 3, should be allowable for at least the same reasons as claim 3, as well as for the additional features recited therein.

Further still, Applicant respectfully submits that withdrawn claim 5, which depends from independent claim 3, should be allowable for at least the same reasons as claim 3, as well as for the additional features recited therein.

REJECTION UNDER 35 U.S.C. §112:

In the Office Action, at page 3, paragraph 3, the Examiner rejected claim 18 under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicant traverses this rejection and respectfully requests reconsideration.

Applicant respectfully submits that the amendment to claim 18 overcomes the Examiner's rejection.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 4, paragraph 3, the Examiner rejected claims 1, 2, 7, 10 and 11 under 35 U.S.C. §102(e) as being anticipated by Wen (US Patent No. 5,517,040). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicant traverses this rejection and respectfully requests reconsideration.

In the Office Action, at page 4, paragraph 5, the Examiner rejected claim 18 under 35 U.S.C. §102(b) as being anticipated by Bailey et al. (US Patent No. 4,616,218 – hereinafter Bailey). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicant traverses this rejection and respectfully requests reconsideration.

Amended, independent claim 1 recites: "...a locker provided in one of the stationary stand member and the base member, so as to be selectively locked into and released from the locker accommodating part of the movable stand member, the locker having a hook engageable with the locker accommodating part and elastically biased toward a locking position, and a contacting part elastically biased to protrude through the base member."

Wen discloses a support unit to support a display to rotate about three mutually orthogonal axes. (See Wen, Abstract, and FIGS 1-4).

Applicant respectfully submits that Wen neither discloses nor suggests a "...locker having a hook engageable with the locker accommodating part and elastically biased toward a locking position, and a contacting part elastically biased to protrude through the base member."

Further, Applicant respectfully submits that the subject matter of claims 8 and 9 that the Examiner indicated as allowable, has been incorporated into claim 7.

Amended, independent claim 7 recites: "...a locker hingedly attached to the stationary stand member, the locker having a hook elastically biased to contact the movable stand member and a contacting part elastically biased to protrude through the base member."

Applicant respectfully submits that Wen neither discloses nor suggests "...a locker hingedly attached to the stationary stand member, the locker having a hook elastically biased to contact the movable stand member and a contacting part elastically biased to protrude through the base member."

Amended, independent claim 18 recites: "...disengaging a contacting part of a locker from a mounting surface so that the locker moves to a locking position, the locker being provided in one of the base or the stationary stand member and elastically biased towards the locking position, the contacting part extending through the base; and sliding the movable stand member toward the base until the locker engages and locks the movable stand member relative to the stationary stand member."

Bailey discloses an apparatus to adjust a heavy CRT data display about three orthogonal axes. (See Bailey at col. 1, lines 39-49). Applicant respectfully submits that Bailey neither discloses nor suggests a method of packing a monitor stand. Further, Applicant respectfully submits that Bailey neither discloses nor suggests "...disengaging a contacting part of a locker from a mounting surface so that the locker moves to a locking position...."

Applicant respectfully submits that independent claims 1, 7, and 18 patentably distinguish over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicant respectfully submits that claim 2, which depends from independent claim 1, and claims

8-11, which depend from independent claim 7, should be allowable for at least the same reasons as claims 1 and 7, respectively, as well as for the additional features recited therein.

Further still, Applicant respectfully submits that withdrawn claim 6, which depends from independent claim 1, and withdrawn claims 16 and 17, which ultimately depend from independent claim 7, should be allowable for at least the same reasons as independent claims 1 and 7, respectively, as well as for the additional features recited therein.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at page 6, item 1, the Examiner rejected claims 12-15 under 35 U.S.C. §103(a) as being unpatentable over Wen (U.S. Patent No. 6,517,040) in view of Rausch et al., (US Patent Pub. 2004/0026975 – hereinafter Rausch). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicant traverses this rejection and respectfully requests reconsideration.

Rausch discloses a motor vehicle seat having a seat frame, a seat surface, and a backrest that is mounted for swiveling on the seat frame, and can be folded forwards and backwards. (See Rausch at col. 1, paragraph [0003]). Applicant respectfully submits that one of ordinary skill in the art would have no motivation to combine Rausch with any reference, let alone with Wen.

Further, Applicant respectfully submits that claims 12-15, which ultimately depend from independent claim 7, should be allowable for at least the same reasons as claim 7, as well as for the additional features recited therein.

CONCLUSION:

In accordance with the foregoing, Applicant respectfully submits that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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